

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

RUBEN SHUMPERT,

Defendant.

NO. CR 04-494P

AGREED MOTION TO CONTINUE  
MOTION CUTOFF DATE  
AND ORDER (PROPOSED)

COMES NOW the Defendant Ruben Shumpert, by and through his attorney of record Douglas Hiatt and the United States of America, by and through AUSA William Redkey, Jr. and respectfully moves the court to continue the motion cutoff date currently set for May 5, 2005 to May 26, 2005 based on the following grounds:

1. Defendant received discovery in this for the first time on April 25, 2005. Counsel will not have the opportunity to review the discovery and consult Defendant before the motion cutoff date because Counsel Douglas Hiatt is currently taking of leave of absence until May 12, 2005 for a family illness.

2. The continuance of the motion cutoff date is justified to allow counsel reasonable time for effective preparation of the case and failure to grant a continuance could result in a miscarriage of justice;

3. Mark Seitter, Counsel's former law partner, has spoken with AUSA Redkey and AUSA Redkey is in agreement with the continuance;

4. Defendant Shumpert is in agreement with this motion.

DATED this 4th day of May, 2005.

By \_\_\_\_\_/s/\_\_\_\_\_  
Douglas Hiatt WSBA#21017  
Attorney for Defendant

ORDER

Upon review of the file and record in this case and the motion above,  
THIS COURT GRANTS the Motion to Continue the Motion cutoff date to May 26, 2005.  
THIS COURT FURTHER ORDERS the date for jury trial shall be June 20, 2005. THIS  
COURT FINDS considering the grounds cited in the motion above that it is  
unreasonable to expect adequate preparation for pretrial proceedings or for the trial  
itself within the time limits established by the Speedy Trial Act. The Court further  
FINDS that the ends of justice served by this continuance outweigh the best interest of  
the public and the defendants in a speedy trial.

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The Honorable Marsh J. Pechman  
District Judge

Proof of Service CM/ECF

It is hereby certified that a true and correct copy of the foregoing Motion to Continue Motion Cutoff date has been made by CM/ECF to counsel at the following addresses:

William Redkey  
700 Stewart St. Suite 5220  
Seattle, WA 98101

Dated this 4th day of May, 2005.

\_\_\_\_\_/s/\_\_\_\_\_  
Mark Seitter